

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
§
v. § Case No. 4:22CR162
§ Judge Mazzant
EDWARD WALSH VAUGHAN (1) §
HADI AKKAD (2) §

UNITED STATES' NOTICE REGARDING PRETRIAL MATERS

To streamline the trial presentation and expedite the Court's consideration of various trial issues, and in lieu of cluttering the docket with numerous redundant filings, the United States submits the following regarding various pretrial matters.

Jury Instructions

The government requests the Court adopt its final jury instructions from the previous trial (Dkt. No. 405) as appropriate. The Court received and considered extensive briefing on the issues (*e.g.*, Dkt. Nos. 314, 316, 371), and at this stage, the government cannot anticipate why the retrial would warrant different instructions.

Exhibits

The government and the defense previously agreed that certain categories of exhibits were admissible and/or authentic. Dkt. No. 272. The parties now stipulate that the government and defense exhibits offered during the last trial are admissible, with the following exceptions: GEX 5, 235 (page 59); and DX 643, 644A, 645, 646A, 646B, 646C, 646D, 646H, 646I, and 646J. The parties do not waive earlier objections and will reassert

them to preserve the record, but in an effort to speed up the trial presentation, understand that they will come in over objection.

404(b) Notice

The government offers its earlier 404(b) submission. Dkt. No. 231.

Factual Stipulation

Like in the first trial, the government expects that the parties will reach some agreement regarding the interstate commerce element as it pertains to wire fraud and will offer that into the record at the appropriate time.

Expert, Rule 1006, and Rule 902 Notices

The United States incorporates its previously submitted expert, Rule 1006, and Rule 902 notices. Dkt. Nos. 205, 270, 271, 273. With respect to the expert notices, the Court has already ruled that these witnesses are fact witnesses, and the government urges the Court to adopt a similar posture for this trial. Both financial-related witnesses (Ronald Leazer and Rachael Bingham) have reviewed the financial accounts, looked at asset ownership records, determined what funds were used to purchase/obtain these assets, and looked at bonus, salary, and payment withdrawals and deposits from the relevant ETS accounts. The financial witnesses and the law enforcement witnesses may use summary charts and demonstratives to explain their testimony.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify a true and correct copy of this motion was served on defense counsel by electronic filing (CM/ECF) on this May 2, 2025.

/s/ Anand Varadarajan
ANAND VARADARAJAN